IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

NOEL RICARDO STEPHENS, : Civil No. 3:20-cv-1573

A#079-073-152,

:

Petitioner,

:

;

WILLIAM BARR, et al.,

v.

Respondents. : Judge Sylvia H. Rambo

ORDER

AND NOW, this 22nd day of April, upon consideration of the report and recommendation (Doc. 12) of Magistrate Judge Joseph Saporito, Jr., recommending the court dismiss the petition for a writ of habeas corpus (Doc. 1) of pro se plaintiff Noel Stephens for failure to pay the filing fee or to file a proper application to proceed in forma pauperis after the court placed Stephens on notice that failure to do so would result in dismissal of this action, (see Docs. 3 & 5), and it appearing that Stephens has not objected to the report, see FED. R. CIV. P. 72(b)(2), and the court noting that failure of a party to timely object to a magistrate judge's conclusions "may result in forfeiture of de novo review at the district court level," Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should "afford some level of review to dispositive legal issues raised by the report," Henderson, 812 F.2d t 878; see also Taylor v. Comm'r of Soc. Sec.,

Inc., 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010)), in order to "satisfy itself that there is no clear error on the face of the record," FED. R. CIV. P. 72(b), advisory

83 F. Supp. 3d 625, 626 (M.D. Pa. 2015) (citing Univac Dental Co. v. Dentsply Int'l,

committee notes, and, following independent review of the record, the court being

in full agreement with the recommendation, and concluding that there is no clear

error on the face of the record, it is hereby ORDERED that:

1. The report and recommendation (Doc. 12) of Magistrate Judge Saporito is

ADOPTED.

2. The petition (Doc. 1) is DISMISSED without prejudice.

3. The Clerk of Court is directed to CLOSE the above-captioned action.

4. Any appeal from this order is deemed to be frivolous and not taken in good

faith. See 28 U.S.C. § 1915(a)(3).

s/Sylvia H. Rambo
United States District Judge